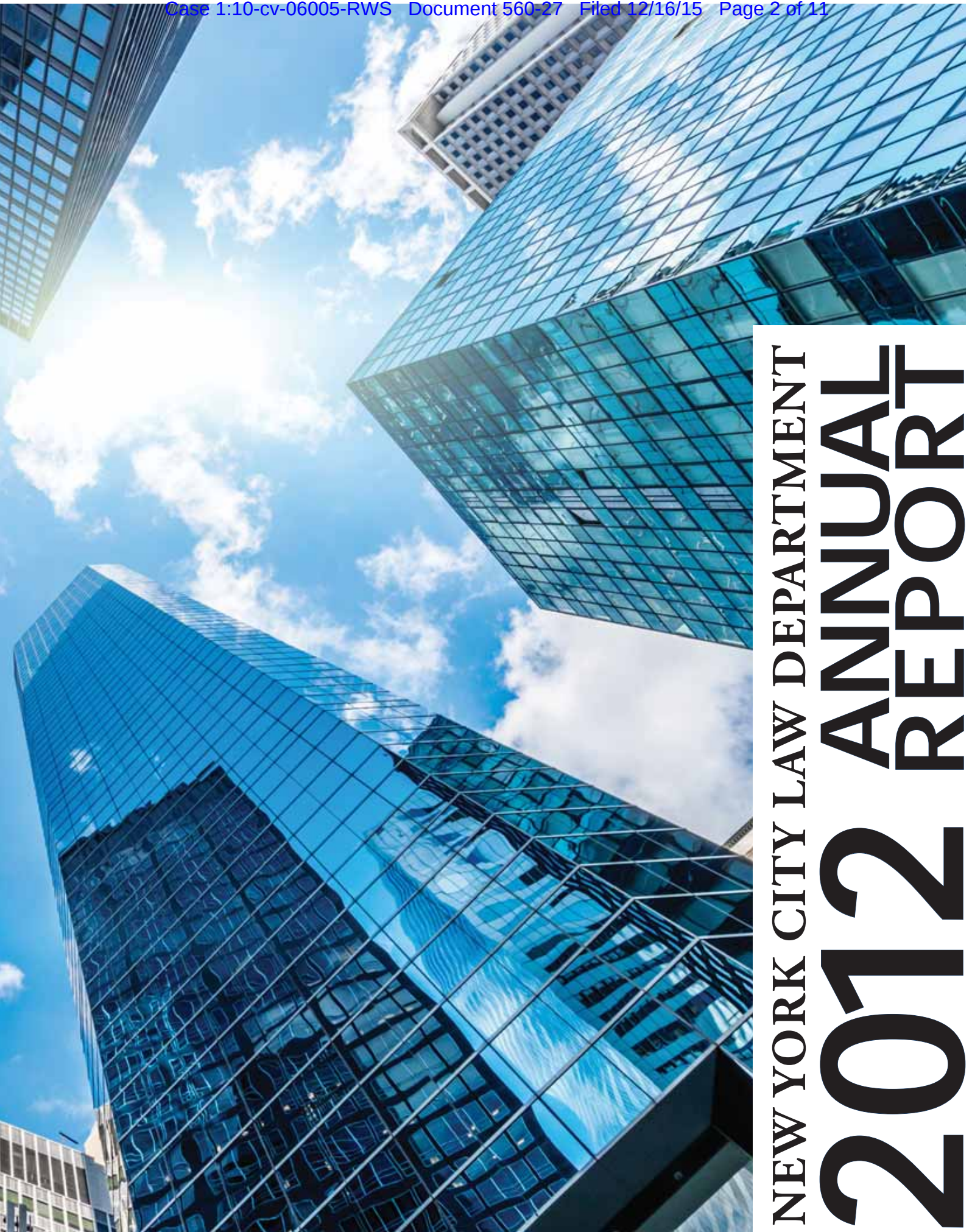


# EXHIBIT

“AA”



NEW YORK CITY LAW DEPARTMENT  
**2012 ANNUAL REPORT**





# SPECIAL FEDERAL LITIGATION

**DIVISION CHIEF**  
*Muriel Goode-Trufant*

**DEPUTY CHIEFS**  
*Frances Sands*  
*Heidi Grossman*  
*Patricia Miller*

The Special Federal Litigation Division defends the City and its employees in federal civil rights cases against law enforcement officials, including police officers, correction officers, and prosecutors. Claims often challenge a judgment made by an individual police or correction officer in performing his or her duties, Police Department policies as to how best to secure public safety, or Department of Correction policies regarding the care and custody of those detained by the criminal justice system.

## Winning at Trial

The Division continued its successful efforts to bring more cases to trial. During 2012, 31 cases were tried to verdict, including 21 wins, two hung juries, and three mixed verdicts.

Noteworthy examples of wins include the following:

In *Pope*, the plaintiff claimed that a police lieutenant tackled and assaulted him, causing permanent back injuries. However, the City effectively demonstrated that the lieutenant was apprehending another suspect, while never seeing or coming into contact with the plaintiff. The case was tried twice; after a hung jury, a second jury found for the City in 20 minutes.

The plaintiff in *Manigault* was spotted by an officer showing a crack rock to another individual inside a store. He dropped the drugs but was arrested, and the drugs were seized. The plaintiff then unsuccessfully sued for false arrest and malicious prosecution after his drug charges were dropped.

In *Ledger*, the plaintiff—acting on a belief someone was trying to kill his family—fired a semi-automatic machine gun in the street, prompting 911 calls. Police responded, and the plaintiff fled while firing at them. The officers returned fire, striking him. He was arrested and pled guilty to attempted murder. The jury deliberated 45 minutes before dismissing his excessive force lawsuit.

## Overseeing Lawsuits from Large Demonstrations

Division attorneys continue to handle litigation arising from the 2004 Republican National Convention (RNC) in New York City. In 2012, the Second Circuit Court of Appeals affirmed the City’s prior win upholding certain arrests made during the RNC. The ruling reinforces the NYPD’s authority to balance the safety of demonstrators, commuters, residents, and businesses in policing major events. A separate 2012 ruling, though mixed, validated a police policy central to the RNC litigation—not issuing summons. The Division also continues to oversee lawsuits arising from the 2011 Occupy Wall Street protests.

## Defending High-Profile Challenges to Police Stop, Question & Frisk

The Division is defending the City in three major cases—including two certified class-actions—challenging the NYPD practice of stop, question, and frisk when there is reasonable suspicion of criminal activity. The cases involve stops on City streets, on public housing properties, and in and around private buildings in the Bronx where landlords have requested routine patrols. The City has vigorously defended the practice as Constitutional.

## Summary Judgment Win in Wrongful Conviction Case

The Division defeated a lawsuit by a plaintiff convicted of the attempted murder and robbery of a livery cab driver, despite his alibi that he was with friends when the crime occurred. His conviction was vacated and a retrial granted; before the retrial, however, he accepted a guilty plea to attempted robbery with a weapon and stated that he was at the crime scene. The plaintiff then filed a lawsuit alleging deprivations of his Constitutional rights by detectives and the City. Division attorneys moved to dismiss the lawsuit, arguing that the plaintiff’s guilty plea barred any potential recovery since his civil claims—linked to his defense that he was absent from the crime scene—would undermine his conviction’s validity, if successful, and because there was no Constitutional violation or ground for City liability.





Zachary W. Carter  
Corporation Counsel

New York City  
Law Department  
100 Church Street  
New York, NY 10007

JEFFREY D. FRIEDLANDER  
First Assistant  
Corporation Counsel

LEONARD J. KOERNER  
Chief Assistant  
Corporation Counsel

LAWRENCE S. KAHN  
Chief Litigating Assistant  
Corporation Counsel

G. FOSTER MILLS  
Managing Attorney

CELESTE KOELEVELD  
Executive Assistant Corporation  
Counsel for Public Safety

GEORGIA PESTANA  
Executive Assistant Corporation  
Counsel for Employment and  
Policy Litigation

THOMAS GIOVANNI  
Executive Assistant Corporation  
Counsel for Government Policy

# New York City Law Department YEAR IN REVIEW 2013

With offices in all five boroughs and Kingston, New York, the Law Department handles an active caseload of over 80,000 lawsuits and legal matters each year. In addition to litigation, attorneys draft and review local and State legislation; approve leases, contracts, and financial instruments for the sale of municipal bonds; negotiate and structure business transactions; and provide legal counsel to City officials on a wide range of issues, such as immigration, education, judicial selection reform and environmental policy. Listed below are some of the major issues and matters handled by the various divisions of the Law Department in 2013.

## LEGAL DIVISIONS

### ADMINISTRATIVE LAW

Division Chief: Sheryl Neufeld | Deputy Chief: Michelle Goldberg-Cahn

- **Bike Share:** Defeated three challenges to the siting of Citi Bike Share stations.
- **Borough Taxi:** Helped win a lawsuit contesting the City's "green taxi" initiative and secured the City's right to auction up to 2,000 more wheelchair-accessible yellow taxi medallions.
- **Health:** Protected newborns from communicable diseases transmitted during circumcision rituals by successfully defending a health code provision.
- **Housing:** Allowed efficient and cost-effective off-site modular housing construction to proceed by winning a lawsuit brought by trade associations against the Department of Buildings.

### AFFIRMATIVE LITIGATION

Division Chief: Gail Rubin | Deputy Chief: Eric Proshansky

- **Cigarettes:** Reached a \$2.5 million settlement with FedEx Ground for shipping untaxed cigarettes into the City; Stopped an internet cigarette seller and Indian smoke shops from selling untaxed cigarettes in the City.
- **Anti-Corruption:** Secured a \$1.4 million settlement of a civil suit against corrupt school custodians who defrauded the DOE.
- **Insurance:** Demanded that insurers of contractors performing work for the City defend and indemnify the City, an effort, which to date, has saved the City over \$550 million.
- **Sandy Recovery:** Auctioned a 185-foot tanker that washed onto the Staten Island shore during the hurricane; Worked with OMB to obtain waivers of the City's obligation to obtain insurance for FEMA-reimbursed damage caused by Sandy.

### APPEALS

Division Chief: Richard Dearing | Deputy Chief: Francis Caputo

- **Transportation:** Enabled the City to issue livery licenses in northern Manhattan and the four other boroughs, and auction up to 2,000 medallions for wheelchair accessible yellow taxis by upholding the constitutionality of the Hail Act in the New York Court of Appeals; Also upheld a test program to allow taxi-passenger pickups via smart phone.
- **Public Trust Doctrine:** Secured the Parks Commissioner's discretion to choose among alternative valid park purposes, such as eateries, by winning a challenge to a planned restaurant in Union Square Park.
- **Health:** Helped ensure that pregnant women are able to make informed health care choices by reversing parts of a District Court order that prevented the City from requiring pregnancy centers to disclose whether they have licensed medical personnel on staff.

### COMMERCIAL & REAL ESTATE LITIGATION

Division Chief: Nancy Brodie

Deputy Chiefs: Richard Schulsohn & Lawrence Spielberg (Acting)

- **Buses:** Defeated challenges to new school bus contracts, allowing a procurement to be implemented that will save about \$100 million over five years.
- **Homeowners:** Successfully challenged a Comptroller's determination that residential property owners' water and sewer repairs pursuant to a service line protection plan are a "public work" subject to prevailing wage laws.
- **Construction:** Won dismissal of a \$4 million construction delay claim because damages were not itemized, as required by the contract.
- **Homeless Shelter:** Successfully fought claims for \$225 million arising out of the City's decision to not proceed with a negotiated (but unregistered) contract to build a homeless shelter.

## CONTRACTS & REAL ESTATE

**Division Chief:** Steven Stein Cushman | **Deputy Chief:** Howard Friedman

- **HHS Accelerator:** Helped develop the City's Health and Human Service Accelerator, a centralized, online vehicle for social service procurements.
- **Sandy Recovery:** Helped ensure the City's housing recovery program complied with federal requirements.
- **Contracts:** Further protected the City's interests in agreements with contractors by issuing an improved standard construction contract to agencies.
- **Jamaica Bay:** Helped negotiate an agreement to establish a major science center near Jamaica Bay to promote the understanding of the surrounding urban ecosystem.

## ECONOMIC DEVELOPMENT

**Division Chief:** James McSpirtt | **Deputy Chief:** Betty Woo

- **Roosevelt Island:** Executed a lease for a 12-acre applied science and engineering campus.
- **Seward Park:** Executed contracts of sale for land parcels in connection with a 1.65 million square foot redevelopment project.
- **Hallet's Point:** Advanced the development of affordable housing at the Astoria Houses site.
- **Lower Manhattan:** Sold two City buildings for \$250 million.
- **Flushing Commons:** Sold a former municipal parking lot for \$20 million for mixed use development.
- **Airports:** Amended lease to allow a runway extension at JFK.
- **High Line:** Modified an easement to allow for more public space and a \$29 million upgrade to the High Line.
- **Telecommunications:** Helped execute agreements to install free Wi-Fi in Harlem at no cost to the City.

## ENVIRONMENTAL LAW

**Division Chief:** Susan Amron | **Deputy Chief:** Hilary Meltzer

- **Environmental Reviews:** Advised agencies on numerous environmental reviews, including reviews of post-Sandy beach reconstruction and the redevelopment plan for Willets Point; Defeated challenges to several environmental reviews, including the NYPD's WTC security plan and the proposed Bronx Fresh Direct facility.
- **Exxon Mobil:** Helped secure a \$105 million judgment against Exxon Mobil for its improper use of a banned gasoline additive found in groundwater in Jamaica, Queens.
- **Solid Waste:** Successfully fought challenges to two Marine Transfer Stations at the core of the City's Solid Waste Management Plan.
- **Parks:** Reaffirmed the discretion of the Parks Commissioner to determine appropriate uses of City parkland by defeating a challenge to the construction of a restaurant in Union Square Park.

## FAMILY COURT

**Division Chief:** Angela Albertus | **Deputy Chief:** Jennifer Gilroy Ruiz

- **Training:** Enhanced training programs and presented courses on the Close to Home initiative, interviewing teenage sexual assault victims, "The Evolving Family" and its impact on child support cases; and presented on juvenile delinquency trial practice at a statewide conference.
- **Communities:** Continued to conduct outreach to NYPD, local schools and community groups to reduce juvenile crime and better understand community concerns.
- **Diversions:** Continued to divert cases involving low-level offenses to community programs, including to youth court.
- **Interstate Child Support:** Handled 5,420 new cases from other states, Puerto Rico and foreign countries; Exceeded citywide performance goals by achieving 1,205 final support orders.

## GENERAL LITIGATION

**Division Chief:** Thomas Crane | **Deputy Chiefs:** Marilyn Richter & Jonathan Pines

- **Charter Schools:** Defeated challenges to DOE's decision-making process for approving co-location of public charter schools in public school buildings.
- **FOIL:** Successfully defended Freedom of Information Law determinations. One case prevented a website from obtaining booking photos, which would have been posted and removed only after payment by inmates. Another suit protected the City from a significant security risk by preventing the release of the City's detailed internet conduit maps.
- **ADA:** Engaged in mediation to improve plans and services to people with disabilities during emergencies, as a result of a federal class action under the Americans with Disabilities Act.

## LABOR & EMPLOYMENT LAW

**Division Chief:** Eric Eichenholtz | **Deputy Chiefs:** Paul Marks & Andrea O'Connor

- **First Amendment:** Won a First Amendment lawsuit brought by a police officer who claimed superiors retaliated against him for reporting a quota system.
- **Joint Employer:** Protected the City from being liable for the actions of a private vendor by winning a lawsuit that claimed the City was a "joint employer" of home health attendants employed by an outside vendor.
- **Trial Verdicts:** Won an Equal Pay Act case involving female NYPD managers who claimed they were being paid less than their male counterparts; Won a case brought by a City Marshal applicant who claimed his First Amendment rights were violated because he endorsed a particular political candidate.



## LEGAL COUNSEL

**Division Chief:** Stephen Louis | **Deputy Chief:** Martha Mann Alfaro

- **Tobacco:** Worked with agencies to enact a number of new tobacco control initiatives, including tougher laws against bootleg cigarettes, tobacco price discounts and a law to raise the minimum sales age to 21 for tobacco products and e-cigarettes.
- **City Codes:** Revised the City's Construction and Fire codes, aligning the City's unique infrastructure needs with the latest standards; Worked with the City Council and agencies to better protect City buildings and residents from future extreme weather events.
- **Styrofoam:** Helped pass legislation, starting in 2015, to ban businesses from selling or providing Styrofoam containers or packaging.
- **Grants & Compliance:** Helped HRA obtain \$50 million in Medicaid reimbursements by challenging a longstanding state reimbursement policy.

## MUNICIPAL FINANCE

**Division Chief:** Albert Rodriguez | **Deputy Chief:** Olivia O'Neill

- **Bonds:** Oversaw the issuance of more than \$14.7 billion of bonds, including City general obligation, Transitional Finance Authority and Municipal Water Finance Authority bonds and commercial paper.
- **Direct Bond Placements:** Saved significant amounts in interest and transaction costs by placing \$100 million of bonds directly with a buyer, without an intermediary or broker.
- **Variable Rate Debt:** Worked to ensure that over \$1 billion in City bond transactions met specifications that didn't require extensive liquidity backing or changing banks.

## PENSIONS

**Division Chief:** Inga Van Eysden

- **Litigation:** Continued fighting on behalf of pension funds to recover losses, resulting from fraud, in securities holdings traded on foreign exchanges.
- **British Petroleum:** Pursued claims of fraud against BP in Texas federal court, based on English common law.
- **Disability Benefits:** Secured a rare Court of Appeals decision affirming the Police Pension Fund's denial of accident disability benefits to a police officer.

## SPECIAL FEDERAL LITIGATION

**Division Chief:** Muriel Goode-Trufant | **Deputy Chiefs:** Frances Sands, Heidi Grossman & Patricia Miller

- **Frivolous Lawsuits:** Continued to discourage frivolous lawsuits by tripling the number of cases brought to trial, winning nearly 70% percent of all trials.
- **Verdict Set-Aside:** Persuaded a court to set aside a plaintiff's jury verdict, after learning he had a written contract with his star witness to share the proceeds of any verdict.
- **Policy:** Positioned several large policy-related cases for resolution, including the Republican National Convention demonstration case and the Stop, Question and Frisk lawsuits.

## TAX & BANKRUPTCY LITIGATION

**Division Chief:** Rita Dumain | **Deputy Chiefs:** Vincent D'Orazio & Rochelle Cohen

- **Property Taxes:** Preserved over \$222 million dollars in demanded refunds by defeating challenges to City property tax assessments.
- **Condemnation:** Saved the City millions of dollars in acquisition costs by winning a lawsuit over the value of a Brooklyn property.
- **Hotels:** Enabled the City to capture millions of dollars in lost tax revenue by winning a Court of Appeals case upholding the constitutionality of the Hotel Room Occupancy Tax.
- **School Buses:** Helped ensure bus services would continue while the City's largest single provider of student bus services filed for bankruptcy.

## TORT

**Division Chief:** Fay Leoussis | **Deputy Chiefs:** Ellen Lombardi, Steven Levi & Jenny Montana O'Connor

- **Defending the City at Trial:** Saved the City millions of dollars in damage payouts during fiscal year 2013 by winning 46 of 79 cases brought against the City. Trial victories included persuading a jury to reject a plaintiff's claim that he was pushed off a fence by a police officer, and convincing a court to reject an 8th grader's claim of negligent supervision by the DOE during a field trip.
- **Pre-trial Dismissals:** Secured the dismissal of 75% of 2,217 actions that claimed hundreds of millions of dollars against the City.

## WORKERS' COMPENSATION

**Division Chief:** John Sweeney | **Deputy Chief:** Mindy Roller

- **Claims:** Indexed nearly 15,000 new claims.
- **Medical Bills:** Processed over 200,000 medical bills.
- **Hearings:** Appeared at 14,000 hearings before the Workers' Compensation Board.
- **Process Improvements:** Streamlined research and access to case-handling information by developing a comprehensive electronic database.



# SUPPORT DIVISIONS & UNITS

## ADMINISTRATION

**Division Chief:** Malachy Higgins | **Deputy Chief:** Kenneth Majerus

- **Renovation:** Coordinated the initial phases of a major project to repaint and re-carpet over 300,000 square feet of office space.
- **Storage:** Provided additional case-file storage by organizing and cleaning nearly 15,000 square feet of basement space.
- **Division Initiatives:** Supported various division initiatives to streamline operations, upgrade equipment and improve the working environment.
- **Procurement:** Handled over 4,000 procurements and contracting events to support office functions.
- **Leadership:** Continued being a citywide agency leader in implementing new technology and efficiently and professionally managing services to ensure minimal disruption to office operations and staff.

## INFORMATION TECHNOLOGY

**Chief Information Officer:** Joseph Mercas | **Director of Network Services:** Amit Sharma

- **Applications:** Consolidated and migrated all of the Law Department's mission critical business applications to DoITT for hosting.
- **VoIP:** Facilitated the rollout of new phone systems to all users at 100 Church Street.
- **Renovations:** Supported office renovation projects by removing and then reinstalling staff computers and phones.

## OPERATIONS

**Division Chief:** Jonathan Pinn | **Deputy Chief:** Omer Soykan

- **Communications & Docketing:** Handled about 400,000 individual items, initiated nearly 20,000 new matters in the LawManager database.
- **Computer Training:** Trained 454 employees in 169 in-house computer software courses.
- **Document & Data Processing:** Handled 6,100 requests for data entry, typing and proofreading assistance.
- **Duplication & Finishing:** Produced over 7 million pages, created 4,000 copies of CDs and DVDs and resolved more than 800 help desk calls.
- **Electronic Information:** Handled over 65,000 e-mails, processed 6,500 Tort Answers and nearly 5,000 requests for legal representation.
- **HotDocs:** Streamlined document creation and assisted staff in 675 help desk calls.
- **Process & Courier:** Served papers resulting in 3,000 affidavits and facilitated over 8,000 requests to serve papers.

## LITIGATION SUPPORT

**Chief, Litigation Support & Information Management:** John Hupper

- **E-discovery:** Handled over 100 new cases assisting with everything from data collection to document production; Created and managed over 70 litigation databases containing more than 10 million e-mails; Saved the City significant resources by using a City-owned e-discovery system.
- **Agency Support:** Continued to help agencies streamline their procedures to improve the discovery process.
- **Practice Management:** Created and/or ran over 1,000 reports analyzing Law Department matters.

## LAW LIBRARY

**Chief Librarian:** Catherine FitzGerald | **Deputy:** James Meece

- **Research:** Conducted a high volume of research for all legal divisions, including research for several high profile matters for the Appeals, Legal Counsel and Special Federal Litigation divisions. Daily requests included compiling legislative histories, performing complex case research and obtaining litigant and witness profile information for trial.
- **Information Resources:** Continued to coordinate online legal research sources with library print collection, resulting in significant savings for the Law Department.

## PROFESSIONAL DEVELOPMENT

**Director:** June Witterschein | **Deputy Director:** John Campbell

- **CLE:** Rolled out new software to allow for online registration of CLE classes, CLE compliance monitoring and e-learning.
- **Training:** Expanded skills training for litigators on mediation, negotiation and depositions.
- **Leadership:** Coordinated a leadership program for the Deputy Division Chiefs.

## RECRUITMENT

**Director:** Stuart Smith | **Deputy Director:** Lillian Evans

- **Legal Team:** Hired 105 new Assistant Corporation Counsels including 42 recent law school graduates and 63 more experienced attorneys; Hosted 42 law students in the Corporation Counsel Summer Honors Program.
- **Post-Graduate Fellowship Program:** Recruited 34 full-time and 6 part-time volunteer attorneys, providing them with hands-on legal experience.





**Zachary W. Carter**  
Corporation Counsel

**New York City  
Law Department**  
100 Church Street  
New York, NY 10007

**JEFFREY D. FRIEDLANDER**  
First Assistant  
Corporation Counsel

**LEONARD J. KOERNER**  
Chief Assistant  
Corporation Counsel

**LAWRENCE S. KAHN**  
Chief Litigating Assistant

**G. FOSTER MILLS**  
Managing Attorney

**MURIEL GOODE-TRUFANT**  
Equal Employment Opportunity  
Officer, and Special Federal  
Litigation Chief

**GEORGIA PESTANA**  
Chief Assistant  
Corporation Counsel for  
Employment and Policy Litigation

**CELESTE KOELEVELD**  
Executive Assistant  
Corporation Counsel  
for Defensive Litigation

**THOMAS GIOVANNI**  
Executive Assistant  
Corporation Counsel  
for Government Policy,  
and Chief of Staff

**STEVEN STEIN CUSHMAN**  
Executive Assistant  
Corporation Counsel for  
Commercial Law

For more information, please  
visit our website at  
[www.nyc.gov/law](http://www.nyc.gov/law)

# New York City Law Department YEAR IN REVIEW 2014

With offices in all five boroughs and Kingston, New York, the New York City Law Department handles over 70,000 active or ongoing legal matters each year. In addition to litigating cases, attorneys draft and review local and State legislation; approve leases, contracts, and financial instruments for the sale of municipal bonds; negotiate and structure business transactions; and provide legal counsel to City officials on a wide range of issues, such as immigration, education, judicial election reform and environmental policy. Listed below are some major issues and matters handled by the Law Department in 2014.

## LEGAL DIVISIONS

### ADMINISTRATIVE LAW

**Division Chief:** Sheryl Neufeld | **Deputy Chief:** Michelle Goldberg-Cahn

- **Smoking:** Saved countless lives by enabling the City's ban on redemption of cigarette and tobacco product coupons to proceed.
- **Illegal Taxi Service:** Enhanced public safety by stopping a ridesharing technology-based company from launching service in New York City without required licenses for drivers and vehicles, which the company has now obtained.
- **Process Servers:** Promoted people's rights to due process by defending against a federal constitutional challenge to the regulatory system designed to address illegal process-serving activities.
- **Restaurants:** Protected restaurant patrons; won decision declaring the Health Department's letter grading program to be lawful.
- **Licensing:** Won first-ever revocation of trade waste-carting company's license based on connection to organized crime.

### AFFIRMATIVE LITIGATION

**Division Chief:** Gail Rubin | **Deputy Chief:** Eric Proshansky

- **Illegal Cigarettes:** Helped protect public health by reaching \$5-million settlement with a mail delivery service after a court upheld the City's claims alleging delivery of untaxed cigarettes.
- **Economic Development Recoveries:** Recouped over \$4 million from companies when properties were not used for the particular purpose for which financial incentives (like tax breaks) were provided.
- **Insurance:** Saved the City almost \$800 million through 2014 by ensuring that insurers of contractors, licensees, permittees, and others defend and indemnify the City as required under their policies.
- **Vendors:** Held design/construction vendors accountable by winning recoupment for extra work done on schools, bridges, etc.

### APPEALS

**Division Chief:** Richard Dearing | **Deputy Chief:** Francis Caputo

- **Restaurant in a Park:** Empowered the Parks Commissioner to be more responsive to public needs; successfully argued that under the public trust doctrine, the Commissioner -- with broad powers concerning the maintenance and improvement of City parkland -- has the discretion to choose various park uses, including as a site for a restaurant.
- **Campaign Finance:** Supported the City's ability to set reasonable limits on campaign contributions and defended against an attempt to bypass the City's campaign finance program.
- **Breathalyzer Test:** Enhanced public confidence by successfully fighting to maintain the NYPD's policy of requiring on-scene Breathalyzer tests for officers who discharge their weapons and cause injury; successfully opposed U.S. Supreme Court review.

### COMMERCIAL & REAL ESTATE LITIGATION

**Division Chief:** Nancy Brodie

**Deputy Chiefs:** Richard Schulsohn & Lawrence Spielberg

- **Rapid Repair:** Prevented a contractor from receiving a windfall by defeating its claim seeking an additional \$2.5 million in bonus payments in the Hurricane Sandy Rapid Repair program.
- **Construction:** Ensured that the City was appropriately compensated by obtaining a \$10-million settlement (including a cash payment and services) that will cover repairs on a major construction project.
- **Partnership:** Positioned City to pursue its \$11-million share from sale of partnership-owned property on 125 St.; successfully fought partner's claim of right to exercise option to purchase an Economic Development Corp. partnership interest for \$1.
- **School Buses:** Won or obtained voluntary withdrawal of several cases brought by contractors challenging school-bus contract procurements.



## CONTRACTS & REAL ESTATE

**Division Chief:** Howard Friedman | **Deputy Chief:** Amrita Prabhakar Barth

- **Pre-K for All:** Promoted better education for City schoolchildren by helping the Department of Education roll out its Pre-Kindergarten initiative.
- **ID Cards:** Aided those needing official identification by working to obtain the services and space needed to institute Mayor's Municipal ID Program.
- **Hurricane Sandy Recovery:** Worked on efforts to restructure this critical program and streamline City offerings.
- **Bike Share:** Promoted healthier transportation options by helping the Department of Transportation amend its contract to provide for expanded service.

## ECONOMIC DEVELOPMENT

**Division Chief:** James McSpiritt | **Deputy Chief:** Betty Woo

- **Draper Hall:** Created 202 units of low-income senior and disabled housing by coordinating lease for \$78-million renovation of former nursing dormitory.
- **Telecom:** Found creative uses for obsolete pay phones by facilitating completion of franchise for free broadband wi-fi and voice-over internet installations.
- **World Trade Center:** Helped finance Tower 3 construction through \$200-million from City in connection with \$1.59 billion in Liberty Bonds financing.
- **Hudson Yards:** Allowed development on nearby site by completing a \$90-million closing on first transfer of development rights of Eastern Rail Yards.
- **Staten Island Closings:** Advanced retail development by handling sale of 10.6-acre site in Charleston and multi-phased, mixed-use development by handling lease of 3.3 acres at historic Lighthouse Point.

## ENVIRONMENTAL LAW

**Division Chief:** Susan Amron | **Deputy Chief:** Hilary Meltzer

- **Air Quality:** Supported EPA's efforts to limit greenhouse gases and hazardous emissions by joining with states and other cities in several litigations.
- **Extended Producer Responsibility:** Required that home appliance manufacturers accept responsibility for discarded refrigerant-containing appliances by successfully resolving litigation challenging a local law.
- **National Advocacy for Effective Watershed Management:** Supported EPA's holistic approach to addressing all sources of water quality impairment by joining amicus brief on behalf of six major cities; plan developed for the Chesapeake Bay.
- **Environmental Reviews:** Advised City agencies on numerous important environmental reviews, including those for free phone/wi-fi stations in streets, rezoning of the Vanderbilt Avenue corridor, and proposed United Nations security measures; also defeated challenges to several reviews, including New York University's proposed expansion and the new Memorial Sloan Kettering facility.

## FAMILY COURT

**Division Chief:** Angela Albertus | **Deputy Chief:** Jennifer Gilroy Ruiz

- **Interstate Child Support Unit:** Established paternity, obtained child support, and modified/enforced existing child support orders on behalf of local and out-of-state families in collaboration with the Office of Child Support Enforcement.
- **Training:** Presented on a collaboration to improve outcomes for youth involved in both the child welfare and juvenile justice systems, the "Cross-Over Youth Practice Model." Addressed potential ethical issues that can arise in interstate child support litigation.
- **Special Victims Unit:** Expanded city program pairing junior attorneys with senior division members; continued responding to Child Advocacy Centers to assist child sexual assault victims and coordinate with law enforcement, child welfare, medical providers, and victim service providers.
- **Community Outreach:** Promoted crime prevention by continuing "National Night Out Against Crime" participation and attending local precinct council meetings and community events; worked with students at various Youth Courts and conducted presentations on the juvenile justice system.

## GENERAL LITIGATION

**Division Chief:** Thomas Crane | **Deputy Chiefs:** Marilyn Richter & Jonathan Pines

- **Vaccinations:** Protected the lives of children and overall public health by winning several challenges to denials of exemption from the state law requirement that children must receive prescribed vaccinations to attend school.
- **Students:** Helped avoid unnecessary emergency room visits for public school students experiencing emotional, behavioral or psychiatric events by settling a federal case that implemented new protocols and expanded school staff training.
- **Americans with Disabilities Act:** Strengthened City's emergency evacuation and sheltering plans for people with disabilities; settled ADA class action.

## LABOR & EMPLOYMENT LAW

**Division Chief:** Eric Eichenholtz | **Deputy Chiefs:** Paul Marks & Andrea O'Connor

- **Labor Relations:** Enabled the City to achieve contracts with more than 75 percent of its workforce to date by advising the Office of Labor Relations on multiple critical issues arising from collective bargaining agreement negotiations.
- **NYPD Counseling:** Affirmed that the NYPD could continue its approach of requiring counseling and rehab instead of terminating officers who are diagnosed with alcohol dependence; won summary judgment in a series of 11 consolidated cases.
- **FDNY Resolution:** Put into place future FDNY reforms and allowed back pay for some candidates in a long-standing class action alleging that the firefighter civil service exam had a disparate impact against blacks and Hispanics.
- **Defending the City at Trial:** Prevailed in several cases that proceeded to trial, including a Department of Environmental Protection case against an employee who alleged a hostile work environment; demonstrated that the employee's claims were without merit.

## LEGAL COUNSEL

**Division Chief:** Stephen Louis | **Deputy Chief:** Martha Mann Alfaro

- **Universal Pre-Kindergarten (UPK):** Assisted on a major Administration priority – UPK expansion to cover 51,000 seats in 2014-2015.
- **Vision Zero:** Partnered with City Hall on the Mayor's Vision Zero plan to reduce traffic-related deaths.
- **IDNYC:** Drafted legislation and rules establishing an identity card for NYC residents, allowing thousands (regardless of citizenship) a gateway to City services.
- **Reducing Riker's Violence:** Drafted rules creating a segregated housing unit for violent inmates; also drafted rules ending punitive segregation for those under 21.
- **Pensions:** Saved the City \$500 million over 10 years; won a Court of Appeals decision regarding increased-take-home-pay pension benefits.
- **Grants & Compliance:** Helped FDNY's World Trade Center Health Program become HIPAA-compliant so that it could resume claiming Zadroga Act funding of \$2 million a month.

## MUNICIPAL FINANCE

**Division Chief:** Albert Rodriguez | **Deputy Chief:** Olivia O'Neill

- **Bonds:** Financed vitally important capital projects at historically low bond rates; worked on issuance of more than \$14 billion of municipal bonds, including City general obligation, Transitional Finance Authority and Municipal Water Finance Authority bonds, and commercial paper.
- **Direct Bond Placements:** Achieved significant City savings; oversaw major increase in direct placement of bonds without an intermediary or broker.
- **Bond Refunding:** Saved the City more than \$550 million of City debt service savings over the 2015-2018 financial plan years by handling refunding of the outstanding Sales Tax Asset Receivable Corp. bonds in September. Other City bond refundings saved an additional \$460 million.
- **Tax Lien Program:** Increased the City's ability to monitor the Tax Lien Program, allowing it to function more efficiently by initiating administrative changes.

## SPECIAL FEDERAL LITIGATION

**Division Chief:** Muriel Goode-Trufant | **Deputy Chiefs:** Frances Sands, Patricia Miller & Peter Farrell

- **Trial Initiative:** Won 15 consecutive trials of cases tried to verdict in 2014 and had a near 80-percent overall win rate. Maintained for three straight years – since the Trial Initiative's inception – no growth in the number of incoming cases, which had increased annually during the previous 10 years.
- **Notable Settlements:** Settled the "Central Park Five" cases and the *Floyd* (stop, question & frisk) class action, resolving both longstanding key matters.
- **Attorney Fee Award:** Verified that the Law Department will seek sanctions in frivolous cases; won more than \$200,000 (affirmed by the Second Circuit) when a plaintiff was ordered to pay for the City's defense in such an instance.

## TAX & BANKRUPTCY LITIGATION

**Division Chief:** Rita Dumain | **Deputy Chiefs:** Vincent D'Orazio & Rochelle Cohen

- **Bankruptcy:** Ensured a smooth transition for the Human Resources Administration (HRA) and a continuation of critical services for its clients by advising on assignment of HRA's largest job placement contract from an insolvent vendor to a new vendor.
- **Community Development:** Assured the continued operation of two Brooklyn libraries by acquiring through eminent domain the properties which the Brooklyn Public Library had previously leased. The City also acquired portions of streets in Ozone Park, allowing a large infrastructure project to proceed.
- **Property Taxes And Exemptions:** Obtained Court of Appeals review to address the correct standard to govern eligibility for a property tax exemption.
- **Excise Tax:** Upheld an important revenue source for the City by prevailing before the Tax Appeals Tribunal in an excise tax case.

## TORT

**Division Chief:** Fay Leoussis | **Deputy Chiefs:** Ellen Lombardi, Steven Levi & Jenny Montana O'Connor

- **Defending the City at Trial:** Saved the City millions in damage payouts during fiscal year 2014 by obtaining 33 defense verdicts.
- **Pre-trial Dismissals:** Secured the dismissal of 73 percent of 2,080 actions that claimed hundreds of millions of dollars against the City.
- **Victories:** Won several important cases, including against a plaintiff who gave contradictory testimony about where he slipped on the ice, a plaintiff who seriously injured a school safety officer and then sued claiming she was hurt, and a plaintiff who had her claims rejected that she'd been struck by a City-owned vehicle.

## WORKERS' COMPENSATION

**Division Chief:** John Sweeney | **Deputy Chief:** Mindy Roller

- **New Claims, Medical Bills, Hearings:** Handled one of the highest volumes of Workers' Comp cases nationwide – indexed over 15,000 new claims, processed over 240,000 medical bills, and appeared at 14,000 Workers' Compensation Board hearings.
- **E-Filing:** Streamlined the Workers' Comp Board claims process by introducing e-filing.



# SUPPORT DIVISIONS & UNITS

## ADMINISTRATION

**Division Chief:** Malachy Higgins | **Deputy Chief:** Kenneth Majerus

- **Collections:** Improved the collection process and the monthly reconciliation by working with Affirmative Litigation and the Department of Finance to re-engineer how checks received as payment of certain fines go directly to a City account.
- **Renovation:** Enabled all offices to function better by overseeing major Refresh Projects at 100 Church St. and 350 Jay St.; managed the design, preparation, and renovation at 52 Duane St.; and managed the build-out and furnishing of a document review room at 100 Church St.
- **Telephones:** Coordinated/facilitated the rollout of 1,600 voice-over-internet-protocol phones in seven borough offices, leading to more reliable service.
- **Procurement:** Handled over 4,000 procurements/contracting events for office functions.
- **Furniture:** Coordinated the purchasing/installation of over 1,700 new office chairs and seating; procured installed 20 new desks for attorneys.

## INFORMATION TECHNOLOGY

**Chief Information Officer:** Joseph Mercas | **Deputy Chief/Director of Network Services:** Keith Williams

- **New Computer Deployment:** Provided updated technology to staff in configuring and installing 1301 new Dell 9020 computers agencywide.
- **Windows 7/Office 2010:** Implemented Microsoft Windows 7 Operating System and Microsoft Office 2010 deployment to agency desktops.
- **Software, HelpDesk:** Upgraded frequently used business computer programs. Offered seamless tech support on 11,089 calls and 21,172 trouble tickets.
- **Telephones:** Implemented the network infrastructure required to support office's voice-over-internet-protocol phones.
- **Renovation:** Installed all telephone and desktop computer gear during the 350 Jay St. Refresh Project.

## OPERATIONS

**Division Chief:** Jonathan Pinn | **Deputy Chief:** Omer Soykan

- **Central Services:** Handled a variety of services related to duplication and facilities requests, and processed 315,000 pieces of mail.
- **Communications & Docketing:** Received and processed over 400,000 pieces of mail, and initiated over 26,000 new matters.
- **Computer Training:** Conducted 115 training sessions for Windows 7/Office 2010 migration; expanded training to include other courses.
- **Document & Data Processing:** Handled 6,100 requests for data entry, typing, and proofreading assistance.
- **Duplication & Finishing:** Produced over 7.2 million pages from nearly 10,000 requests, and created 6,000 copies of CDs/DVDs.
- **Electronic Information:** Reviewed over 71,000 e-mails; processed 7,200 tort answers and nearly 5,000 requests for legal representation.
- **HotDocs:** Planned, coordinated, and facilitated the migration to a centralized server-based version of HotDocs; responded to over 1,100 help calls.
- **Process & Courier:** Served papers resulting in 3,500 affidavits and facilitated over 7,500 requests to serve papers.

## LITIGATION SUPPORT

**Division Chief:** John Hupper | **Litigation Support Directors:** Heidi Grygiel, Beth Nedow & Elsa Rodriguez

- **Electronic Discovery:** Handled expanding electronic discovery in almost every litigating division, including large public policy and commercial cases with millions of documents. Counseled client agencies on electronic record retention policies and litigation readiness strategies.
- **Practice Management:** Enhanced intra-agency communications; rolled-out discovery and witness request module in matter management system.
- **Agency-Based Discovery:** Supervised and managed completion of 600-plus agency affidavits in support of motions for summary judgment. Supervised and managed production of discovery responses in 2,700-plus matters.

## LAW LIBRARY

**Chief Librarian:** Catherine FitzGerald | **Deputy:** James Meece

- **Research:** Conducted extensive research for all legal divisions, including collecting legislative histories, conducting extensive case research, and structuring litigant and witness profile information for trial.
- **Information Resources:** Continued coordinating online legal research sources with the print collection, reaping significant office savings. Empowered attorneys and paralegals through training on emerging online research outlets.

## PROFESSIONAL DEVELOPMENT

**Director:** June Witterschein | **Deputy Director:** John Campbell

- **Employee Development:** Enhanced team development in divisions by coordinating office projects and programs.
- **Continuing Legal Education (CLE):** Offered expanded orientation and CLEs in new training center, and coordinated online agency CLEs.
- **Lateral Introductions:** Advanced agencywide knowledge among laterals by arranging for meetings across divisions; also introduced learning plans.

## RECRUITMENT

**Director:** Stuart Smith | **Deputy Director:** Lillian Evans

- **Legal Additions:** Hired 78 new Assistant Corporation Counsels, including 34 recent law school graduates and 44 experienced attorneys; also hosted 44 law students in the Corporation Counsel Summer Honors Program and 92 law student externs during the school year.
- **Post-Grad Fellowships:** Recruited 24 full-time volunteer attorneys, securing invaluable pro bono help and providing them with hands-on experience.

